

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**QUINCY BLAKLEY and KIMBERLY JOHNSON,**

Plaintiffs,

V.

**GOLABS, INC., TOA MOTORS, INC,  
LONGMAN ZHAO, and QUIONG LI,**

Defendants.

Civil Action No. **3:21-CV-02422-L**

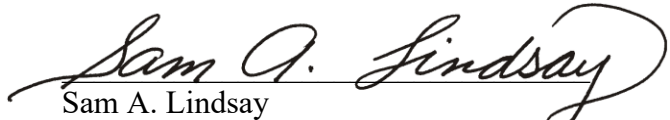
**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

On July 8, 2022, United States Magistrate Judge David L. Horan entered the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”) in the above-titled civil action. In his Report (Doc. 23), the magistrate judge recommended that the court grant Defendants’ FRCP 12(b)(6) Motion to Dismiss Plaintiffs’ Amended Complaint (Doc. 14) with prejudice as to Quincy Blakley’s FLSA claim against Quiong Li and Longman Zhou and without prejudice as to Plaintiffs’ FLSA overtime claim, Quincy Blakley’s FLSA retaliation claim against Quiong Li and Tao Motors, and Quincy Blakley’s FMLA, ADA and TCHRA claims. He also recommended that the court grant Plaintiffs twenty-one days from the date of any order adopting his Report in which to file a second amended complaint as to those claims that should be dismissed without prejudice. He further recommended that the court order that, if Plaintiffs fail to amend their complaint within the time specified, the case will be dismissed with prejudice without further notice. No objections were filed.

After considering the parties' briefing, record, and Report, the court concludes that the findings and conclusion of the magistrate judge are correct and **accepts** them as those of the court.

Accordingly, the court **grants** Defendants' FRCP 12(b)(6) Motion to Dismiss Plaintiffs' Amended Complaint (Doc. 14). The court **dismisses with prejudice** Quincy Blakley's FLSA claim against Quiong Li and Longman Zhou and **dismisses without prejudice** Plaintiffs' FLSA overtime claim, Quincy Blakley's FLSA retaliation claim against Quiong Li and Tao Motors, and Quincy Blakley's FMLA, ADA and TCHRA claims. The court allows Plaintiffs until **September 19, 2022**, to file a second amended complaint as to those claims dismissed without prejudice. Failure to amend within this time deadline will result in dismissal of this case with prejudice and without further notice.

**It is so ordered** this 29th day of August, 2022.

  
Sam A. Lindsay  
United States District Judge